

116TH CONGRESS  
1ST SESSION

# S. 1871

To amend title 23, United States Code, to compel States to require illuminated signs and other measures on ride-hailing vehicles, to require transportation network companies to implement an electronic access system on ride-hailing vehicles, to prohibit the sale of such signs, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 13, 2019

Mr. CARDIN (for himself, Mr. BLUMENTHAL, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To amend title 23, United States Code, to compel States to require illuminated signs and other measures on ride-hailing vehicles, to require transportation network companies to implement an electronic access system on ride-hailing vehicles, to prohibit the sale of such signs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Sami’s Law”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act, the terms “machine-readable code or  
3 image”, “personal mobile device”, “QR code”, “TNC driv-  
4 er”, “TNC platform”, “TNC vehicle”, “trade dress”, and  
5 “transportation network company” have the meanings  
6 given those terms in section 171(a) of title 23, United  
7 States Code.

8 **SEC. 3. SANCTIONS FOR STATES WITHOUT TRANSPOR-**  
9 **TATION NETWORK COMPANY VEHICLE IDEN-**  
10 **TIFICATION LAWS.**

11 (a) IN GENERAL.—Chapter 1 of title 23, United  
12 States Code, is amended by adding at the end the fol-  
13 lowing:

14 **“§ 171. Sanctions for States without transportation**  
15 **network company vehicle identification**  
16 **laws**

17 “(a) DEFINITIONS.—In this section:

18 “(1) MACHINE-READABLE CODE OR IMAGE.—  
19 The term ‘machine-readable code or image’ means a  
20 machine-readable optical label that—

21 “(A) is unique to each TNC driver and the  
22 vehicle of the TNC driver; and

23 “(B) can be scanned using a special scan-  
24 ner or a personal mobile device with a built-in  
25 camera.

1           “(2) PERSONAL MOBILE DEVICE.—The term  
2           ‘personal mobile device’ means any mobile device  
3           that an individual uses to connect to a TNC plat-  
4           form.

5           “(3) QR CODE.—The term ‘QR code’ means a  
6           machine-readable code or image that—

7                   “(A) is also known as a quick response  
8                   code; and

9                   “(B) consists of a matrix or 2-dimensional  
10                  barcode.

11           “(4) TNC DRIVER.—The term ‘TNC driver’  
12           means an individual who is employed or contracted  
13           by a transportation network company to provide  
14           transportation services to the public through a TNC  
15           platform.

16           “(5) TNC PLATFORM.—The term ‘TNC plat-  
17           form’ means an online-enabled application or digital  
18           network used to connect passengers with drivers  
19           using vehicles for the purpose of providing pre-  
20           arranged transportation services for compensation.

21           “(6) TNC VEHICLE.—The term ‘TNC vehicle’  
22           means a vehicle of a TNC driver that the TNC driv-  
23           er uses to provide TNC services (also known as a  
24           ride-hailing vehicle).

1           “(7) TRADE DRESS.—The term ‘trade dress’  
 2       means anything designed or used to promote or sig-  
 3       nify a transportation network company or a vehicle  
 4       used to provide transportation services to the public,  
 5       such as the logo of the company, and includes the  
 6       color, shape, size, or any other feature that makes  
 7       the presentation of the service distinctive.

8           “(8) TRANSPORTATION NETWORK COMPANY.—  
 9       The term ‘transportation network company’ means a  
 10      company that uses an online-enabled application  
 11      platform or digital network to connect passengers  
 12      with drivers using personal, noncommercial vehicles  
 13      of the drivers to provide transportation services.

14      “(b) WITHHOLDING OF FUNDS FOR NONCOMPLI-  
 15      ANCE.—

16           “(1) FIRST FISCAL YEAR.—On October 1 of  
 17      second full fiscal year beginning after the date of en-  
 18      actment of this section, the Secretary shall withhold  
 19      1 percent of the amount required to be apportioned  
 20      to a State under each of paragraphs (1) and (2) of  
 21      section 104(b) for that fiscal year if the State is not  
 22      in compliance with subsection (c) on that date.

23           “(2) SUBSEQUENT FISCAL YEARS.—On October  
 24      1 of the third full fiscal year beginning after the  
 25      date of enactment of this section, and each October

1       1 thereafter, the Secretary shall withhold 2.5 per-  
 2       cent of the amount required to be apportioned to a  
 3       State under each of paragraphs (1) and (2) of sec-  
 4       tion 104(b) for that fiscal year if the State is not  
 5       in compliance with subsection (c) on that date.

6               “(3) EFFECT OF WITHHOLDING OF FUNDS.—

7       No funds withheld under this section from an appor-  
 8       tionment to a State shall be available to that State.

9               “(c) REQUIREMENTS.—A State shall be in compli-  
 10      ance with this subsection if the State has in effect the  
 11      following laws with respect to transportation network com-  
 12      panies operating in that State:

13              “(1) FRONT AND REAR LICENSE PLATES.—A  
 14      law requiring that each TNC vehicle display a State-  
 15      issued license plate on both the front and rear of the  
 16      vehicle.

17              “(2) INSPECTION AND SIGNAGE REQUIRE-  
 18      MENTS.—A law requiring TNC drivers to present  
 19      TNC vehicles for inspection by not later than 180  
 20      days after the date of enactment of that law, or, in  
 21      the case of a State that already has in effect a law  
 22      that meets the requirements of this paragraph, not  
 23      later than 180 days after the date of enactment of  
 24      this section, and annually thereafter, including each  
 25      of the following:

1           “(A) A provision requiring each TNC driv-  
2           er to affix a sticker with a machine-readable  
3           code or image, provided to that driver pursuant  
4           to section 4(b)(2) of Sami’s Law, on each win-  
5           dow of the vehicle of the TNC driver adjacent  
6           to where passengers may sit.

7           “(B) A provision that prohibits a TNC  
8           driver from providing TNC services if the TNC  
9           vehicle does not pass the inspection.

10          “(C) A provision that requires periodic  
11          safety inspections of the TNC vehicle performed  
12          at intervals of not less frequently than once  
13          each year.

14          “(D) A provision that requires, at all times  
15          when the TNC driver is active on the TNC  
16          platform or providing any TNC service, each  
17          TNC vehicle to display a consistent and distine-  
18          tive signage or emblem that—

19               “(i) is recognized as a trade dress for  
20               the transportation network company;

21               “(ii) is readable during daylight hours  
22               at a distance of 50 feet;

23               “(iii) includes an illuminated trans-  
24               portation network company sign that dis-  
25               plays the proprietary trademark or logo of

1 the company that is patently visible so as  
 2 to be seen in darkness; and

3 “(iv) may be magnetic or removable in  
 4 nature.

5 “(3) UNLAWFUL DISPLAY.—A law providing  
 6 that an individual who is not a TNC driver may be  
 7 charged with a misdemeanor for displaying the illu-  
 8 minated sign described in paragraph (2)(D)(iii) on  
 9 any vehicle with the intent to impersonate a TNC  
 10 driver operating a TNC vehicle.”.

11 (b) CLERICAL AMENDMENT.—The analysis for chap-  
 12 ter 1 of title 23, United States Code, is amended by add-  
 13 ing at the end the following:

“171. Sanctions for States without transportation network company vehicle  
 identification laws”.

14 **SEC. 4. ACCESS AND OTHER REQUIREMENTS FOR TRANS-**  
 15 **PORTATION NETWORK COMPANY VEHICLES**  
 16 **AND TRANSPORTATION NETWORK COMPA-**  
 17 **NIES.**

18 (a) IN GENERAL.—Not later than 180 days after the  
 19 date of enactment of this Act, each transportation network  
 20 company shall—

21 (1) establish and implement a system that re-  
 22 quires—

23 (A) each individual who uses the TNC  
 24 platform of a transportation network company

1 to verify the identity of the TNC driver as-  
2 signed to the individual via the TNC platform  
3 for the trip; and

4 (B) that TNC driver to confirm the iden-  
5 tity of the individual prior to the beginning of  
6 a trip.

7 (b) INCLUSIONS.—A system under subsection (a)  
8 shall include—

9 (1) a machine-readable code or image that is  
10 unique to each TNC driver and the vehicle of the  
11 TNC driver, such as a QR code or a successor tech-  
12 nology, that can be scanned by the individual hailing  
13 the driver, using a personal mobile device with a  
14 built-in camera;

15 (2) forward-facing window stickers containing  
16 the machine-readable code or image described in  
17 paragraph (1) that shall be provided to each TNC  
18 driver;

19 (3) the ability, via the TNC platform of the  
20 transportation network company—

21 (A) to provide to each individual who is as-  
22 signed a TNC driver the unique machine-read-  
23 able code or image of that driver; and

24 (B) to provide a means by which that indi-  
25 vidual may scan the machine-readable code or



1 image displayed on the window sticker of the  
2 TNC vehicle, using the TNC platform on the  
3 personal mobile device of the individual, to con-  
4 firm the identity of the TNC driver who is as-  
5 signed to the individual prior to entering the ve-  
6 hicle; and

7 (4) policies or procedures that—

8 (A) restrict each TNC driver from com-  
9 mencing a trip until the individual who has re-  
10 quested the trip successfully verifies the identity  
11 of the TNC driver by scanning the machine-  
12 readable code or image;

13 (B) prohibit a TNC driver from providing  
14 TNC services if the TNC vehicle or TNC driver  
15 is not in compliance with this section;

16 (C) require a periodic safety inspection of  
17 the TNC vehicle performed at intervals of not  
18 less frequently than once each year; and

19 (D) require each TNC vehicle, at all times  
20 when the TNC driver is active on the TNC  
21 platform or providing any TNC service, to dis-  
22 play a consistent and distinctive signage or em-  
23 blem that—

24 (i) is recognized as a trade dress for  
25 the transportation network company;

- 1 (ii) is readable during daylight hours  
 2 at a distance of 50 feet;
- 3 (iii) includes an illuminated transpor-  
 4 tation network company sign displaying  
 5 the proprietary trademark or logo of the  
 6 company that is patently visible so as to be  
 7 seen in darkness; and
- 8 (iv) may be magnetic or removable in  
 9 nature.

10 (c) SIGNAGE POLICY.—Not later than 180 days after  
 11 the date of enactment of this Act, each transportation net-  
 12 work company shall implement a policy to require that any  
 13 illuminated signage described in section 171(c)(2)(D)(iii)  
 14 of title 23, United States Code, be returned to the trans-  
 15 portation network company when a TNC driver ceases to  
 16 be employed or contracted by the company.

17 **SEC. 5. PROHIBITION ON SALE OF TRANSPORTATION NET-**  
 18 **WORK COMPANY SIGNAGE.**

19 It shall be unlawful for any person to sell or offer  
 20 for sale any illuminated sign described in section  
 21 171(c)(2)(D)(iii) of title 23, United States Code.

22 **SEC. 6. UNFAIR OR DECEPTIVE ACT OR PRACTICE.**

23 (a) IN GENERAL.—A violation of section 4 or section  
 24 5 shall be treated as a violation of a rule defining an un-  
 25 fair or deceptive act or practice prescribed under section

1 18(a)(1)(B) of the Federal Trade Commission Act (15  
2 U.S.C. 57a(a)(1)(B)).

3 (b) POWERS OF FEDERAL TRADE COMMISSION.—

4 (1) IN GENERAL.—The Federal Trade Commis-  
5 sion shall enforce sections 4 and 5 in the same man-  
6 ner, by the same means, and with the same jurisdic-  
7 tion, powers, and duties as though all applicable  
8 terms and provisions of the Federal Trade Commis-  
9 sion Act (15 U.S.C. 41 et seq.) were incorporated  
10 into and made a part of such sections.

11 (2) PRIVILEGES AND IMMUNITIES.—Any person  
12 who violates section 4 or section 5 shall be subject  
13 to the penalties and entitled to the privileges and  
14 immunities provided in the Federal Trade Commis-  
15 sion Act (15 U.S.C. 41 et seq.).

16 **SEC. 7. GAO STUDY ON THE INCIDENCE OF ASSAULT AND**  
17 **ABUSE OF TRANSPORTATION NETWORK COM-**  
18 **PANY PASSENGERS AND DRIVERS.**

19 The Comptroller General of the United States shall—

20 (1) conduct a study on the incidence of assault  
21 and abuse perpetrated on drivers by passengers  
22 using TNC vehicles, and on passengers by drivers of  
23 TNC vehicles, including an examination of—

1           (A) incidences in which individuals who are  
2           not TNC drivers attempt to pose as TNC driv-  
3           ers;

4           (B) incidences of passengers who hailed a  
5           ride through a TNC platform entering the  
6           wrong vehicle, whether or not the vehicle was a  
7           TNC vehicle;

8           (C) efforts by transportation network com-  
9           panies, States, and local governments to imple-  
10          ment additional safety measures, practices, and  
11          requirements, and the efficacy of those meas-  
12          ures, practices, and requirements; and

13          (D) the nature and specifics of any back-  
14          ground checks conducted by transportation net-  
15          work companies on potential TNC drivers, in-  
16          cluding any State laws that may require such  
17          background checks; and

18          (2) submit to Congress a report on the results  
19          of the study under paragraph (1) by not later than  
20          1 year after the date of enactment of this Act.

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